

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

ANTHONY LEE MACHICOTE,	:	
Plaintiff	:	No. 1:20-cv-01315
	:	
v.	:	(Judge Kane)
	:	
BARRY SMITH, <u>et al.</u>,	:	
Defendants	:	

ORDER

AND NOW, on this 31st day of March 2022, in accordance with the Memorandum issued concurrently with this Order, **IT IS ORDERED THAT:**

1. Defendants' motion to dismiss (Doc. No. 22) is **GRANTED**;
2. Plaintiff's amended complaint (Doc. No. 20) is **DISMISSED WITHOUT PREJUDICE** for failure to state a claim upon which relief may be granted;
3. Within thirty (30) days of the date of this Order, Plaintiff may file a second amended complaint that corrects the deficiencies identified in the accompanying Memorandum;
4. The Clerk of Court is directed to mail Plaintiff a civil rights complaint form; and
5. If Plaintiff fails to file an amended complaint within thirty (30) days of the date of this Order, this case will be dismissed without prejudice for the reasons stated in the accompanying Memorandum.

s/ Yvette Kane
Yvette Kane, District Judge
United States District Court
Middle District of Pennsylvania